

Exhibit 4

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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

WESTERN ORGANIZATION OF
RESOURCE COUNCILS et al.,

Plaintiffs,

vs.

UNITED STATES BUREAU OF
LAND MANAGEMENT,

Defendant,

and

STATE OF WYOMING,

Intervenor-Defendant.

Case No. 4:20-cv-00076-BMM-JTJ

DECLARATION OF TERRY PUNT

I, Terry Punt, hereby declare:

1. The facts and opinions set forth in this declaration are based on my personal knowledge and experience. If called as a witness in these proceedings, I could and would testify competently to these facts and opinions.

2. My name is Terry Punt. I am a rancher on Hanging Woman Creek near Birney in Rosebud County, Montana. I have lived, worked, and recreated in this area since 1985. With my wife and her family we operate Bones Brothers Ranch, which is on the National Register of Historic Places. My wife, Jeanie Alderson, and I also have a grass finished Wagyu beef business. We recreate on nearby BLM lands, including an area of BLM land formerly known as the Zook Mountain Wilderness Study Area. I have led Montana Wilderness Society area walks in that area.

3. I have been a member of the Northern Plains Resource Council for 20 years and have served on their oil and gas task force since 1998. My wife is currently the Chair of Northern Plains Resource Council and has served on the board for many years.

4. Most of our life revolves around raising cattle. To do this successfully, we depend upon the good native grasses that we are blessed with in Southeastern Montana. We also need clean water. Most of the private land that we ranch on has federal minerals beneath the surface. These minerals are managed by

the BLM and addressed in the Miles City Resource Management Plan (RMP). I am concerned that the BLM's Miles City RMP will not appropriately protect the condition of our water and pastures. I am concerned that BLM's plan will impact my ability to enjoy and make a living on this land. There has been renewed interest in leasing federal minerals in the Hanging Woman Creek drainage over the past few years and this is alarming to us as it could have lasting detrimental implications for our ranching operation. If the Miles City RMP is remanded back to the BLM by this court, the BLM might more fully consider the impacts of oil and gas development on our surface water, groundwater, and land. Further analysis ordered by this court could lead to a reduction in lands made available for oil and gas development or the application of measures that would mitigate impacts.

5. Our concerns are well-founded. During the coalbed methane boom in our area, we felt very threatened by the lack of respect the BLM showed toward our business. Our surface water was degraded by CBM produced waste water discharging into our streams, drainages, and rivers. Our groundwater was recklessly wasted as part of the dewatering process used by the CBM industry to extract the natural gas. Our grasses were destroyed when produced water was disposed of by aerators, unsuccessful irrigation schemes, and on ground disposal. Roads and well pads chewed up more good grass. Now there are weeds, monocultures, and erosion where there used to be diverse vegetation. For us to stay

in business, we need better protections to our water and pastures. We need better notification and communication as well. Finding out from BLM's office the status of mineral leases under our private ranch land has not been forthcoming even after numerous requests. We need to know the status of these leases to help us plan our business.

6. In the past we have taken in guests at Bones Brothers Ranch to help diversify our operation. The increased traffic, noise, and disturbance associated with mineral extraction makes this option less viable for us and also limits opportunities for hunting revenues on our ranch.

7. Living in the midst of an energy boom causes health related issues as well for both humans and livestock. Excessive dust, VOC's, and other air pollutants from mineral development are harmful to humans and animals. Fires, well explosions, and pipeline leaks are part of mineral development, but not a good fit for our business. Abandoned oil and gas wells that have not been plugged have the potential to contaminate existing water wells and are a continuing issue within the Miles City RMP area. Bonding should be increased for both the BLM and the surface owner. The leverage a landowner has in getting a good surface damages agreement from a company is minimal. The landowner is at the mercy of the operator and must trust that the government will clean up the mess should the operator go bankrupt or do a poor job of reclamation. I do not feel that the current

Miles City RMP addresses these issues enough. The BLM did not foresee the CBM boom in the late 1990s and early 2000s and was sued by Northern Plains to do an EIS addressing CBM. This caused delay for the industry and uncertainty for everyone. The BLM would be smart to get the necessary protections in place in its RMP before another unexpected technology or way of extracting minerals surfaces, that won't protect the people who live on or near federal minerals administered by the BLM in this RMP. A favorable ruling in this case would redress my injuries by spurring the BLM to provide these protections.

I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is to true and correct.

Dated: October 25, 2021.

Terry Punt
Terry Punt